

## **Rule 2. Beginning the case.**

(a) A case is begun by plaintiff filing ~~a Small Claims Affidavit (Form A)~~ with the clerk of the court either:

(a)(1) an affidavit stating facts showing the right to recover money from defendant; or

(a)(2) an interpleader affidavit showing that plaintiff is holding money claimed by two or more defendants.

(b) The affidavit qualifies as a complaint under Utah Code Section 78-12a-2 and Section 78-27-25.

(b)(c) Unless waived upon filing an affidavit of impecuniosity, the appropriate filing fee must accompany the small claims affidavit.

(c) ~~A separate form of Affidavit (Form C) is available for an “interpleader action” — action in which plaintiff is holding money that is claimed by two or more other parties.~~ (d) In an interpleader action, plaintiff must pay the money into the court at the time of filing the affidavit or acknowledge that it will pay the money to whomever the court directs.

(e) Upon filing the affidavit, the clerk of the court shall schedule the trial and issue the summons for the defendant to appear.